IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

    Plaintiff,

  vs.

ROMAN ARAGON, *et al.,*

    Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

**MOTION TO SET ASIDE ENTRY OF DEFAULT
AND WITHDRAWAL OF MOTION FOR DEFAULT JUDGMENT**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and pursuant to Fed. R. Civ. P. 55(c) respectfully requests the Court to set aside the entry of default for the following defendant in the Tierra Amarilla subsection of Section 7:

Ramon E. Sanchez   CHTA-004-0014A

As grounds therefore Plaintiff states:

1. The Clerk's Certificate of Default with respect to the above-named defendant was entered on October 2, 2006 (Docket No. 8400).

2. The above-named defendant recently contacted the State and has signed and approved the State's proposed Consent Order with respect to the subfile listed above.

3. The State hereby withdraws the Motion for Default Judgment filed December 8, 2007 (Docket No. 8505) with respect to the above-named defendant, and only this defendant, in subfile CHTA-004-0014A.

4.	Good cause exists to set aside the entry of default with respect to the defendant named above.

WHEREFORE, the Plaintiff State of New Mexico *ex rel.* State Engineer requests the Court to set aside the entry of default for the above-named defendant.

DATED: January 30, 2007

Respectfully submitted,

   /s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of January, 2007 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF Participant in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Ramon E. Sanchez
P.O. Box 242
Tierra Amarilla, NM 87575

   /s/ Ed Newville
Edward G. Newville